

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 14064, as amended, of Jean Friendly, pursuant to Paragraph 8207.11 of the Zoning Regulations, for a reinstatement of BZA Order No. 13713, for variances from the rear yard requirements (Sub-section 3304.1) and the side yard requirements (Sub-section 3305.1) for a proposed hypothetical subdivision of Lot 817 for the purpose of using the accessory building as a principal use (dwelling) in an R-1-B District at the premises 1645 - 31st Street, N.W., (Square 1282, Lot 817).

HEARING DATE: November 9, 1983

DECISION DATE: December 7, 1983

ORDER

In Application No. 13713, by Order dated July 26, 1982, the Board approved the identical area variance relief as requested herein, for the same applicant to permit a hypothetical subdivision of Lot 87 for the purpose of using the accessory building as a principal use. The applicant did not proceed to file for a certificate of occupancy since he was still negotiating a scenic easement for the subject property, a condition to the Board's grant in the prior Order. In accordance with Paragraph 8205.12 of the Zoning Regulations, the approval expired after six months.

The applicant now proposes to go forward with the project. Alfred Friendly, co-applicant in the prior case, is now deceased. The entire estate previously held by Alfred and Jean Friendly as joint tenants passed to Jean Friendly in fee simple by operation of law. All rights in this application are vested in her.

The Board finds that none of the conditions prevailing when application No. 13713 was filed have changed other than the death of one of the applicants. The Board incorporates herein the findings of fact and Conclusions of Law set forth in Order No. 13713, dated July 29, 1982, a copy of which is attached. It is therefore ORDERED that the application is GRANTED SUBJECT to the same CONDITION set forth in BZA Order No. 13713, dated July 29, 1982.

VOTE: 4-0 (Walter B. Lewis, Carrie L. Thornhill, William F. McIntosh and Douglas J. Patton to grant; Charles R. Norris not present, not voting).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:



STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: MAR 30 1984

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

14064order/LJP4

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 14065, of the National Association for Women Deans, Administrators and Counselors, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 4101.44 to use unit 107 of the subject premises as the national office for the Association in an SP-2 District at premises 1727 Massachusetts Avenue, N.W., (Square 157, Lot 837).

HEARING DATE: November 9, 1983
DECISION DATE: December 7, 1983

FINDINGS OF FACT:

1. The subject premises is located on the north side of Massachusetts Avenue, N.W. between 17th Street on the east and 18th Street on the west. The site is in an SP-2 District and is known as premises 1727 Massachusetts Avenue, N.W.

2. The subject site is approximately rectangular in shape. Its dimensions are 106.33 feet on the north and south sides, 138.62 feet on the west side, and 158.81 feet on the east side.

3. The site is improved with an eight-story brick apartment structure with basement. The subject structure is currently in use as a residential condominium of 142 units, known as the Winthrop Condominium. The mixture of units in the condominium includes thirty-two one-bedroom apartments and 110 efficiency apartments.

4. In the subject condominium, a ground floor dwelling unit known as unit 107 is currently vacant and is the subject of this application. The subject unit is a one bedroom apartment that contains approximately 800 square feet of space.

5. There is access to and from the subject site through Massachusetts Avenue on the south and through a public alley on the north.

6. The subject square is developed with a mixture of apartment houses, rowhouses, and office uses. The Brookings Institution is located immediately west of the subject site and the Brookings' parking lot is located on the north side of the square directly behind the Brookings facility. East

of the subject site is an office building followed by two residential structures, namely the Boston House and the Bay State apartment buildings. On the north side of the square are two additional apartment houses, the Webster House and the Avondale, and other residential buildings.

7. The southern half of the subject square fronts on Massachusetts Avenue and is zoned SP-2. The northern half of the subject square fronts on P Street and is zoned R-5-D.

8. The surrounding neighborhood is developed with a mixture of medium density residential uses, office and institutional uses. The zoning of the subject area is SP-1 to the south, east and west of the subject square. The area north of the subject square is zoned R-5-B and three blocks west of the subject site is a C-3-B District.

9. The subject structure was constructed in 1940 and was used as a residential rental property for approximately forty years. In approximately 1978, the property was purchased by Wm. Calomiris Investment Corp. In 1981, acting as agent for the Winthrop Associates, Calomiris Corp., negotiated a settlement agreement with the Winthrop House Tenants Association which allowed the property to be converted to a residential condominium provided that the existing tenants obtain long-term leases on their units.

10. On February 20, 1981, the property was offered to the public for purchase as a residential condominium. The Winthrop Associates, a D.C. Joint Venture, was the developer and Peter Calomiris was agent for the developer. As of October 13, 1983, eighty-seven of the 142 units had been sold. This represents only 61.27 percent of the 142 units. Seventy-five percent of the units must be sold in order for control of the condominium to pass to the condominium association, or two years must pass following the settlement of the first unit sold, whichever comes first. The total number of units occupied by tenants or owners is 120, leaving twenty-two vacant units. These vacant units are being marketed for residential use.

11. The application was filed in the name of the National Association for Women Deans, Administrators and Counselors, hereinafter referred to as NAWDAC, listing that organization as the owner. The property is still owned by Winthrop Associates, which authorized NAWDAC as the contract purchaser, to file the application.

12. The subject Unit 107 was formerly used as the resident manager's apartment and is now vacant. The subject unit has been marketed as a residential unit since February 20, 1981, but remains unsold. The owners are now seeking to sell Unit 107 to NAWDAC for use as office space for its national headquarters.